

LEWIS AND CLARK CO SHERIFF
INCLUSIVE CASE REPORT

EXHIBIT 8
DATE 2/10/11
HB 390

Case Number LC090381 IR Title POSSIBLE ANIMAL CRUELTY
Date/Time Occurred 03/08/2009 09:32:19 PM IR D
Name/Business Name [REDACTED]
Case Location [REDACTED]
City HELENA State MT
Case Clearance NOT APPLICABLE Case Clearance Date _____

OFFENSE

Offense Code 45-8-211 CSA COMMITTED Location RESIDENCE/HOME
Description CRUELTY TO ANIMALS

Offense Code 175 CSA ATTEMPTED Location RESIDENCE/HOME
Description ANIMAL PROBLEM-OTHER

PERSON

Person Type SUSPECT
Name Type LEGAL Last [REDACTED] First [REDACTED] Middle [REDACTED]
Address Type HOME Address [REDACTED] Apartment _____
City HELENA State MONTANA Zip 59602 Phone [REDACTED]
DOB [REDACTED] Age [REDACTED] Sex [REDACTED] Race WHITE Height 507 Weight 145
Hair Color _____ Eye Color BROWN Driver License [REDACTED] State MONTANA

Person Type COMPLAINANT
Name Type LEGAL Last LEWIS AND CLARK First _____ Middle _____
Address Type _____ Address _____ Apartment _____
City _____ State _____ Zip _____ Phone _____
DOB _____ Age _____ Sex _____ Race _____ Height _____ Weight _____
Hair Color _____ Eye Color _____ Driver License _____ State _____

Person Type VICTIM
Name Type LEGAL Last [REDACTED] First [REDACTED] Middle [REDACTED]
Address Type HOME Address [REDACTED] Apartment 22
City BOZEMAN State MONTANA Zip 59715 Phone [REDACTED]
DOB [REDACTED] Age _____ Sex FEMALE Race WHITE Height 502 Weight 110
Hair Color BROWN Eye Color BROWN Driver License [REDACTED] State MONTANA

Person Type WITNESS
Name Type LEGAL Last [REDACTED] First [REDACTED] Middle _____
Address Type HOME Address [REDACTED] Apartment _____
City BOZEMAN State MONTANA Zip 59715 Phone [REDACTED]
DOB [REDACTED] Age 27 Sex FEMALE Race WHITE Height 500 Weight _____
Hair Color BLOND/STRAWBERRY Eye Color BLUE Driver License _____ State _____

Person Type VICTIM
Name Type LEGAL Last SOCIETY First _____ Middle _____

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8

DATE

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Date 390 11/2009

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Case Number LC090381 IR Title POSSIBLE ANIMAL CRUELTY
Date/Time Occurred 03/08/2009 09:32:19 PM IR Date/Time 03/08/2009 09:39:55 PM
Name/Business Name [REDACTED]
Case Location 3 [REDACTED]
City HELENA State MT
Case Clearance NOT APPLICABLE Case Clearance Date _____

OFFENSE

Offense Code 45-8-211 CSA COMMITTED Location RESIDENCE/HOME
Description CRUELTY TO ANIMALS

Offense Code 175 CSA ATTEMPTED Location RESIDENCE/HOME
Description ANIMAL PROBLEM-OTHER

PERSON

Person Type SUSPECT
Name Type LEGAL Last [REDACTED] First [REDACTED] Middle [REDACTED]
Address Type HOME Address [REDACTED] Apartment _____
City HELENA State MONTANA Zip 59602 Phone [REDACTED]
DOB [REDACTED] Age [REDACTED] Sex [REDACTED] Race WHITE Height 507 Weight 145
Hair Color _____ Eye Color BROWN Driver License [REDACTED] State MONTANA

Person Type COMPLAINANT
Name Type LEGAL Last LEWIS AND CLARK First _____ Middle _____
Address Type _____ Address _____ Apartment _____
City _____ State _____ Zip _____ Phone _____
DOB _____ Age _____ Sex _____ Race _____ Height _____ Weight _____
Hair Color _____ Eye Color _____ Driver License _____ State _____

Person Type VICTIM
Name Type LEGAL Last [REDACTED] First [REDACTED] Middle [REDACTED]
Address Type HOME Address [REDACTED] Apartment 22
City BOZEMAN State MONTANA Zip 59715 Phone [REDACTED]
DOB [REDACTED] Age _____ Sex FEMALE Race WHITE Height 502 Weight 110
Hair Color BROWN Eye Color BROWN Driver License [REDACTED] State MONTANA

Person Type WITNESS
Name Type LEGAL Last [REDACTED] First [REDACTED] Middle _____
Address Type HOME Address [REDACTED] Apartment _____
City BOZEMAN State MONTANA Zip 59715 Phone [REDACTED]
DOB [REDACTED] Age 27 Sex FEMALE Race WHITE Height 500 Weight _____
Hair Color BLOND/STRAWBERRY Eye Color BLUE Driver License _____ State _____

Person Type VICTIM
Name Type LEGAL Last SOCIETY First _____ Middle _____

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Address Type _____ Address _____ Apartment _____
City _____ State _____ Zip _____ Phone _____
DOB _____ Age _____ Sex _____ Race _____ Height _____ Weight _____
Hair Color _____ Eye Color _____ Driver License _____ State _____

PROPERTY

Item No. PR1 Code UNKNOWN Article LIVESTOCK / PETS Make MAMMAL Model _____
Serial No. _____ Quantity _____ Value 400
Description (1) @ 7 WK OLD CHIHUHUA PUPPY

NARRATIVE/SUMMARY

Report Name Initial Report
Officer 530 KUSSMAN, WILLIAM
Supervisor Review _____ Report Date _____
Distribution _____ Review Date _____

Narrative Sunday, March 8, 2009, at approximately 0900 hours, I, Sergeant Will Kussman met with Gina Wiest at the Lewis and Clark Humane Society. This was in regard to several complaints she had received about a dog grooming business. She asked me to speak with the complainants and start an investigation into possible animal cruelty. The complainants had told Wiest that they had purchased Chihuahua puppies from the owner of the dog grooming business and the puppies had gotten very sick. Sick enough to have them taken to a veterinarian service where one of the puppies was admitted for several days and the other had treatment but was released to go home. Wiest had been told the puppies may have been infected with "Giardia" which can be fatal especially in young dogs and puppies.

Wiest also told me the people that had called her had told her the conditions at the grooming business although not dirty were very unkept and didn't seem very sanitary for a person who claimed to be a breeder. She went on to tell me the people told her there was a lot of dog hair on the floor. It appeared [REDACTED] wasn't cleaning after she groomed dogs. Mixed with the hair was dog feces throughout the grooming shed. Wiest gave me the following information.

The Humane Society had initially been contacted by [REDACTED] about a sick Chihuahua puppy that her neighbor had just purchased. Kottas resides in Bozeman as does the new dog owner, now identified as [REDACTED]. [REDACTED] puppy had been delivered to her by the owner of the dog grooming business. I was given the name of [REDACTED] as the owner of the dog grooming business. I was also given [REDACTED] and [REDACTED] as two other people who may have purchased puppies from [REDACTED]. Wiest is very concerned [REDACTED] is passing herself off as a breeder and placing dogs that are sick or infected.

After obtaining the names, I told Wiest I would contact the people she had given me and see what they had to tell me. I also advised I would be meeting with the county attorney and see if they may have some direction on how to handle this further. Wiest told me she was concerned if I made contact with [REDACTED] she would get scared and start cleaning up her act before [REDACTED] could be [REDACTED].

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veterinarian could come out and inspect the grooming business.

At approximately 1930 hours, I attempted contact with [REDACTED] at [REDACTED]. I spoke with a male who told me [REDACTED] was out a church function and wouldn't be home until late in the evening. I told him who I was and why I was wanting to speak with [REDACTED]. He told me he was her husband and was aware of what [REDACTED] had called the Humane Society about. He went on to tell me their neighbor, [REDACTED] had purchased a dog (puppy) to have a companion for her other dog. She [REDACTED] had found an ad in the Bozeman paper advertising the Chihuahua puppies. [REDACTED] called the number and spoke with [REDACTED]. They reached some sort of agreement and [REDACTED] made a down payment to [REDACTED]. [REDACTED] told [REDACTED] she would deliver the puppy to her in Bozeman and take the final payment for the puppy. [REDACTED] told me when the puppy arrived at [REDACTED] home, it looked sick and didn't respond very well. Within 24 hours, [REDACTED] wound up taking it to a vet and was told the dog had "Giardia". We spoke for a few more moments and then he told me the dog had been put to sleep as it was not getting any better. [REDACTED] was very upset about the loss of the puppy. [REDACTED] told me his wife would be better able to answer my questions and stated he would have her call me when she came home.

After speak with [REDACTED], I contacted [REDACTED]. I told her who I was and why I was calling her. She agreed to speak with me and told me the following. She and her friend, [REDACTED] had come to Helena on Sunday March 1, 2009. They had come to Helena to look for a small dog for [REDACTED] year old daughter who was having a birthday. They had gone to "Pet Town" looking for a smaller dog. Pet Town did not have any small dogs and when asked, [REDACTED] were told that [REDACTED] was a breeder of small dogs. They were given [REDACTED] phone number.

They called [REDACTED] who agreed to have them come out and look at her puppies. [REDACTED] told me when they arrived they immediately felt the place was dirty. The area out front of the grooming shed had a lot of dog hair mix with old bedding. There was dog feces mixed in the hair and on the bedding. [REDACTED] told me it was "Unkept and not very Sanitary." Johnson lead them to a small building (shed) where she told them she does the grooming at. Inside they both noticed the floor was covered in dog hair. Again it appeared that there was dog feces mixed in the hair on floor. She also noted there was no water dish for dogs to drink out of. [REDACTED] went to the rear of the room where there were several cages with dogs in them. The dogs were barking very loudly. [REDACTED] felt the cages were rather small for the size of the dogs.

Several of the cages had been stacked on top of each other. [REDACTED] reached up on top of several cages that had been stacked and brought down one cage with several Chihuahua puppies inside. The puppy that [REDACTED] ultimately purchased came from this cage. According to [REDACTED] the puppy didn't look well. It seemed lethargic and not really very responsive for a young dog. They asked [REDACTED] they could see the mother to the puppy. [REDACTED] told them they could not. Both [REDACTED] and [REDACTED] found that to be odd.

After purchasing the puppy from [REDACTED] and [REDACTED], [REDACTED] and [REDACTED] [REDACTED]

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At approximately 0630 hours on Monday, March 9, 2009, I contacted and spoke with [REDACTED]. She told me about how [REDACTED] how learned about the Chihuahua puppies. She had read the advertisement in the Bozeman paper. She called the number and spoke with [REDACTED]. They agreed to have her pay half of the payment and the other half when [REDACTED] delivered the puppy to her. [REDACTED] got the puppy on Monday, March 9, 2009. The dog was lethargic and not very responsive. [REDACTED] asked [REDACTED] about the puppy. [REDACTED] told her that was not what she wanted. [REDACTED] collected the puppy and did not return it to [REDACTED].

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the rest of the day the puppy didn't drink or eat.

The next day (Tuesday) the puppy drank some fluid and seemed to get better. By the early afternoon the puppy seemed to get worse. [REDACTED] went to the local Murdoch's store and got some formula for the puppy. The puppy drank most of the formula and seemed to improve again. [REDACTED] seemed more at ease because the puppy seemed to be getting better. Wednesday the puppy was sick again, so [REDACTED] took it to the vet clinic. She was told at that time the dog was very sick and probably was going to die. The dog was admitted for two nights for IV fluid and observation. [REDACTED] returned home and called [REDACTED] to tell her how sick the puppy was. According to [REDACTED] [REDACTED] didn't seem to care and made no offer to refund her [REDACTED] money. [REDACTED] told me the puppy was put to sleep by the vet clinic on Sunday, March 8, 2009. [REDACTED] was very upset about the loss of the puppy.

At the time of this report, I have not spoken with [REDACTED] in regard to this matter. Further investigation is continuing.